

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-------------------------------|---|---------------------|
| ALPHA PRO TECH, INC., | : | |
| Plaintiff, | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| VWR INTERNATIONAL LLC, | : | No. 12-1615 |
| Defendant. | : | |

ORDER

AND NOW, this 25th day of November, 2013, upon consideration of VWR International LLC's ("VWR") Motion to Dismiss (Docket No. 29), Alpha Pro Tech, Inc.'s Response thereto (Docket No. 30), and VWR's Reply (Docket No. 31), **it is HEREBY ORDERED that the Motion to Dismiss is GRANTED IN PART and DENIED IN PART such that:**

1. **Count II** (breach of contract) and **Count IV** (tortious interference with an existing contractual relationship) are **DISMISSED WITH PREJUDICE**; and
2. **Count I** (misappropriation of trade secrets), **Count III** (unjust enrichment), and **Count V** (Lanham Act false advertising and false designation of origin) **SURVIVE**.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge